

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**MARQUIS TAYLOR,**

**Plaintiff,**

v.

**Civil Action No. 3:24cv324**

**COMMONWEALTH OF VIRGINIA,**

**Defendant.**

**MEMORANDUM OPINION**

Plaintiff, a Virginia inmate proceeding *pro se*, submitted a “Notice and Motion for Contempt of Court,” in which he asked to become part of a class to enforce an injunctive order pertaining to a lawsuit brought by the ACLU of Virginia about changes to a Virginia good-time credit statute. (ECF No. 1.) By Memorandum Order entered on May 22, 2024, the Court explained that Plaintiff failed to identify a case number or description of the alleged case filed in this Court. (ECF No. 2, at 1.) Plaintiff also failed to identify a procedural vehicle that would authorize the action that he seeks.<sup>1</sup> (ECF No. 2, at 1.) Accordingly, the Court informed Plaintiff that it could not provide him with his requested action. (ECF No. 2, at 1.)

Nevertheless, the Court sent Plaintiff a form for filing a 42 U.S.C. § 1983 complaint. The Court explained that if Plaintiff wished to file a complaint at this time, he should complete and return the form to the Court within thirty (30) days of the date of entry thereof. (ECF No. 2, at 1.) The Court noted that if Plaintiff failed to take any action within that time, the Court would dismiss the action without prejudice. *See Fed. R. Civ. P. 41(b).*

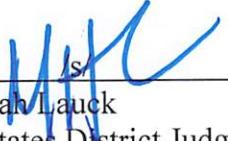
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<sup>1</sup> The Court explained that it appeared that these issues have been recently litigated in the state courts, not in this federal Court, *see Anderson v. Clarke*, 893 S.E.2d 379 (Va. 2023), and that Plaintiff’s request may be more appropriately directed to the Virginia state courts. (ECF No. 2, at 1 n.1.)

More than thirty (30) days have elapsed, and Plaintiff has not completed and returned the § 1983 complaint form.<sup>2</sup> Accordingly, this action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 7/21/2024  
Richmond, Virginia

  
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M. Hannah Lauck  
United States District Judge

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<sup>2</sup> The Court received a Notice and Motion for Hearing on June 3, 2024. However, Plaintiff mailed this motion to the Court on May 21, 2024, (ECF No. 3, at 1), before the Court's May 22, 2024 Memorandum Order.